IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FOURTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 17367 of 2004

Between:

S.R. Basheer S/o. Late Shamshuddin, aged about 52 years,
Occu:Foreman, Department of Physics, Instrumentation

Workshop, S.V.College of Arts & Science, Tirupathi,

R/o. Tirupathi.

..... PETITIONER

AND

The Sri Venkateswara University, Tirupathi, rep. by its

Registrar.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly a writ in the nature of Mandamus, declaring the action of the respondent in not considering the candidature of the petitioner for promotion to the post of Technician in spite of fulfilling the requisite qualifications and experience on a par with his juniors in the light of the Syndicate Resolution dated 24.4.1982 and as per the cadre rules dated 5.7.1996 under the garb of pendency of the proceedings before this Honourable Court, as being illegal, arbitrary and violative of Articles 14 and 16 of the Constitution of India.

Counsel for the Petitioner: MR.C.A.R.SESHAGIRI RAO

Counsel for the Respondent: MR.P.SREE RAMULU NAIDU, Standing Counsel for Sri Venkateswara University.

The Court at the stage of admission made the following :

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THE HONOURABLE DR.JUSTICE G.YETHIRAJULU

WRIT PETITION No.17367 OF 2004

ORDER:

The petitioner was appointed as a Helper in the respondent-University on 13.06.1983. He was promoted as a Workshop Assistant on 13.08.1992. He was further promoted as a Junior Mechanic on 24.10.1996 and he was further promoted as a Foreman on 26.09.1998. The petitioner further contends that he acquired all the qualifications required for the post of Technician.

2. The grievance of the petitioner is that the respondent-University is not considering his candidature for the post of Technician, though his juniors are being considered for those posts.

3. The petitioner contends that he made a representation to the respondent on 27.08.2004 to consider his case on par with his juniors to the post of Technician and it is pending for consideration. The petitioner, therefore, approached this Court through this writ petition seeking a direction to the respondent to pass appropriate orders on his representation.

4. Having regard to the above circumstances explained by the petitioner, the respondent is directed to pass appropriate orders on the representation of the petitioner regarding his request for promotion to the post of Technician according to Rules.

5. The Writ Petition is accordingly disposed of. No order as to costs.

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Dr.G.YETHIRAJULU, J

Date:24th September, 2004.

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ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1.The Registrar, Sri Venkateswara University, Tirupathi.

2.Two C.D. copies.